



# Massachusetts Law Quarterly

---

SPECIAL NUMBER, MARCH 2, 1936

---

A TESTIMONIAL  
TO  
HON. HERBERT PARKER  
ON HIS  
EIGHTIETH BIRTHDAY AT THE BIRTHDAY DINNER  
TENDERED HIM BY  
THE MASSACHUSETTS BAR ASSOCIATION  
THE BAR ASSOCIATION OF THE CITY OF BOSTON  
AND  
THE WORCESTER COUNTY BAR ASSOCIATION  
AT THE PARKER HOUSE, BOSTON  
MONDAY, MARCH 2, 1936

---

## CONTENTS

---

### CHRONOLOGY

(Page 1)

### THE ARTICULATE COUNSELLOR

Being the autobiography of Hon. Herbert Parker from the Fiftieth Anniversary Report of the Harvard Class of 1878 done into verse by proxy, on the spur of the occasion, with slight changes in phraseology to meet the exigencies of versification; also with acknowledgments and proper apologies to the late W. S. Gilbert and the late Sir Arthur Sullivan.

(Pages 3-9)

### PORTRAITS OF HERBERT PARKER

Mr. Parker in 1936

Mr. Parker in 1881

Mr. Parker in 1898

Mr. Parker as Attorney General

Mr. Parker Cross-Examining a Handwriting Expert in the Tucker Case

Mr. Parker as President of the Massachusetts Bar Association  
in 1914-1915

Mr. Parker Engaged in Bucolic Pursuits

---

Issued Quarterly by the  
MASSACHUSETTS BAR ASSOCIATION, 60 State St., Boston, Mass.

*Entered as Second-Class Matter at the Post Office at Boston.*





## CHRONOLOGY

---

### HERBERT PARKER

Of Lancaster and Boston

Born in Charlestown, Mass., March 2, 1856

Admitted to the Bar in Worcester in June, 1882

Assistant District Attorney  
for the Middle District of Massachusetts  
1887-1895

District Attorney  
1895-1899

Attorney General of Massachusetts  
1899-1901

Private in Company G of the 19th Infantry of the State Guard  
During the War

Delegate to the Constitutional Convention  
1917-1919

Counsel to Hon. Edwin U. Curtis, Police Commissioner of Boston  
1919

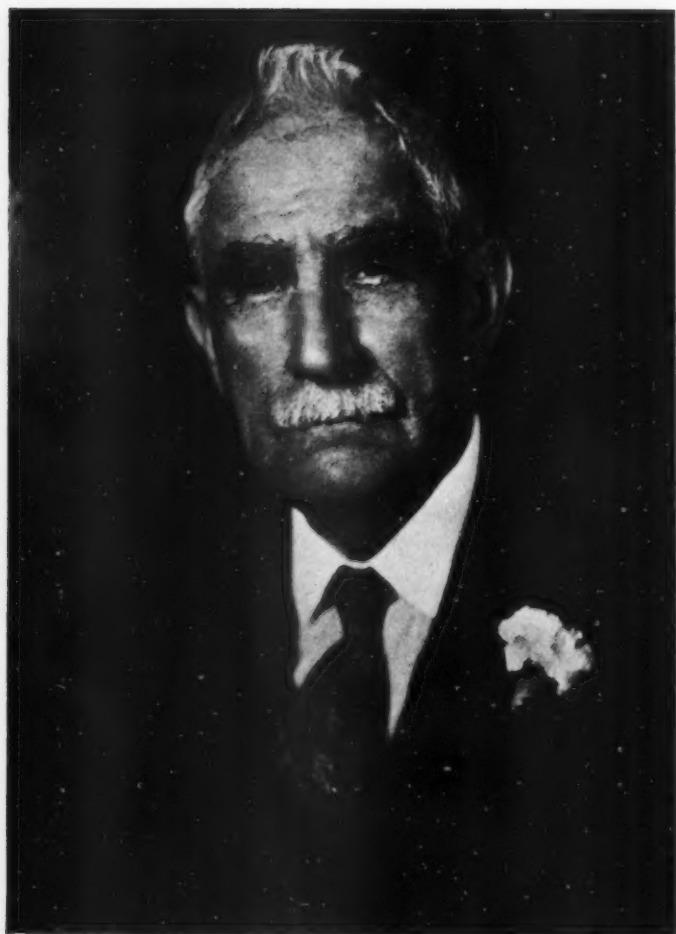
President, Worcester County Bar Association  
1904-1909

President, Massachusetts Bar Association  
1914-1915

President, Bar Association of the City of Boston  
1929-1931

### VERY GOOD COMPANY

1856 (or more probably about 1871)-1936



HERBERT PARKER

On his Eightieth Birthday, March 2, 1936

## THE ARTICULATE COUNSELLOR.

Being the autobiography of Hon. Herbert Parker from the Fiftieth Anniversary Report of the Harvard Class of 1878 done into verse by proxy, on the spur of the occasion, with slight changes in phraseology to meet the exigencies of versification; also with acknowledgments and proper apologies to the late W. S. Gilbert and the late Sir Arthur Sullivan. The quotation in the opening lines is borrowed by permission of the Lord Chancellor in "Iolanthe".

---

### STAGE DIRECTIONS.

In order to produce the best effect, this song should be sung by Mr. Parker, to the tune of the Chancellor's song in "Iolanthe", at some time during his birthday dinner, a space being cleared so that he may dance between verses, after the manner of the Lord Chancellor, or, if he prefers, Fred Astaire. The gathering is expected to join in the chorus after each verse, as the dance takes place, and will then sing the last chorus (on page 9) through while Mr. Parker listens in appreciative silence.

---

*Mr. Parker sings.*

"The Law is the true embodiment  
Of everything that's excellent  
It has no kind of fault or flaw"  
And I, my brethren, have served the law!  
The constitutional guardian I  
Of cherished American liberty  
And of all the rights of everyone  
Whether under or over twenty-one—  
An appropriate occupation for  
A very articulate counsellor.

#### CHORUS

An appropriate occupation for  
A most articulate counsellor!

---

I studied law and practice, too  
And came to the bar in '82  
From Worcester County which now, as then,  
Produces competent legal men.  
I studied the law with George F. Hoar  
No qualified student could wish a more  
Inspiring senior to teach good sense  
As a basis for subsequent eloquence;—  
A most inspiring instructor  
For a budding articulate counsellor.

#### CHORUS

A most inspiring instructor  
For a budding articulate counsellor!





HERBERT PARKER IN 1881



**HERBERT PARKER CROSS-EXAMINING IN THE TUCKER CASE**

"Atty. Gen. Parker and handwriting expert Hay handled each other in the most gentlemanly fashion and at the finish every one considered it a draw — honors even."



I practiced in Worcester and Clinton, too  
 And after awhile, as was my due,  
 They made me a district attorney thar  
 And I started my climb to the head of the bar.  
 I worked so well as a prosecutor  
 That public office sought me more  
 And I reached at last, and after all,  
 The post of attorney general—  
 A very appropriate office for  
 A very articulate counsellor.

CHORUS

A most appropriate office for  
 A rising and eloquent counsellor!

---

Of capital cases I had my share;  
 I prepared them all with expert care.  
 I cross-examined and argued long 'nd  
 Sent the defendants where they belonged.  
 And, in these cases, I proved the sense  
 Of circumstan-ti-al evidence,  
 For when witnesses lie, we all know well  
 That a chain of significant facts will tell—  
 A useful occupation for  
 A keen and articulate counsellor.

CHORUS

A useful occupation for  
 An astutely articulate counsellor!

---

I had modelled my style on Rufus Choate;  
 I always could talk without a note;  
 I had an enormous vocabulary,  
 And advised a great chief of constabulary;  
 And I also served—I forgot to mention,  
 In the Consti-tu-ti-onal Convention;  
 And since my story now I sing—  
 I've been president of most everything—  
 A suitable position for  
 A very articulate counsellor.

CHORUS

A suitable position for  
 An able and eloquent counsellor!



HERBERT PARKER, ATTORNEY GENERAL  
1899-1901

I was also a private in Company G  
 Of the 19th State Guard Infantry.  
 They thought I had such talents rare  
 That they made me the cook for the whole galère.  
 'Twas a difficult task that I had to face  
 To do my duty and keep my place,  
 But I hired the chef of a well-known club  
 And fed them all on the best of grub—  
 'Twas a hos-pi-table function for  
 A pa-tri-otic counsellor.

CHORUS

A well considered function for  
 An epicurean counsellor!

---

And when for recreation I  
 Suspend my legal activity,  
 I study the birds and hear them sing,  
 For a feathered friend is a beautiful thing;  
 And for reasons sociological  
 I've joined clubs ornithological,  
 To encourage their study in leisure hours  
 And protect these beautiful friends of ours.  
 'Tis a harmless avocation for  
 A very respectable counsellor.

CHORUS

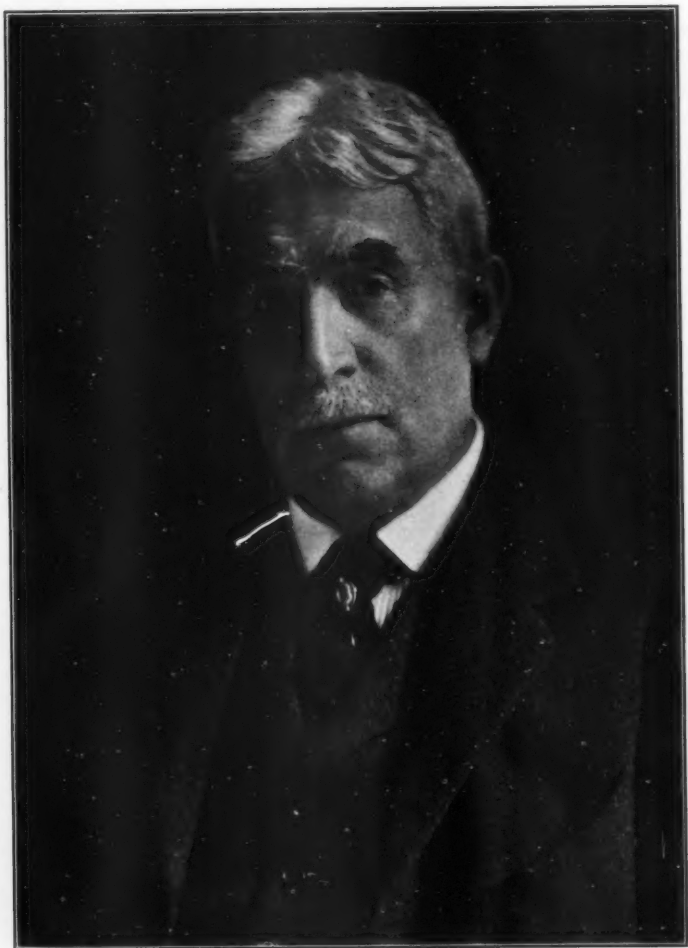
A useful avocation for  
 An ornithological counsellor!

---

In all my public service I  
 Have done my bit with a single eye  
 To the weal of the Commonwealth that we  
 Have honored for more than a centuree;  
 And I charge my junior brethren here  
 To shoulder their burdens without a fear,  
 To learn what our "fundamentals" are,  
 And guard the traditions of the Bay State bar.  
 The times proclaim this service for  
 Each budding articulate counsellor.

CHORUS

'Tis a most engaging task before  
 Each budding articulate counsellor!



HERBERT PARKER  
President Massachusetts Bar Association  
1914-1915

## FINAL CHORUS (ALL STANDING)

And now at the age of eighty years  
 As he sits up there among his peers,  
 We will fill up a glass from the flowing bowl  
 And drink a toast to his genial soul;  
 For we know he's as young as his spirits are,  
 And his spirits are those of the junior bar!  
 So we'll wish him good luck and a long career  
 As an elder brother of yester-year!

A career of opportunity for  
 A very articulate counsellor—  
 An excellent opportunity for  
 A young octogenarian counsellor!

F. W. G.



HERBERT PARKER ENGAGED IN BUCOLIC PURSUITS

*"The birds his moralists shall be  
 And everything his friend."*

